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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

IAN BAUTISTA,

Defendant.

2:19-CR-230-JAD-VCF

Preliminary Order of Forfeiture

This Court finds Ian Bautista pled guilty to Counts One and Two of a Two-Count Criminal Information charging him in Count One with attempt receipt of child pornography in violation of 18 U.S.C. § 2252A(a)(2) and (b)(1) and in Count Two with transfer of obscenity to a minor in violation of 18 U.S.C. § 1470. Criminal Information, ECF No. 2; Plea Agreement, ECF No. __; Change of Plea, ECF No. __.

This Court finds Ian Bautista agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information. Criminal Information, ECF No. 2; Plea Agreement, ECF No. __; Change of Plea, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information and the offenses to which Ian Bautista pled guilty.

The following property is (1) any visual depiction described in 18 U.S.C. § 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of 18 U.S.C. § 2252A(a)(2) and (b)(1) and (2) any property, real or personal, used or

1 intended to be used to commit or to promote the commission of 18 U.S.C. § 2252A(a)(2)
2 and (b)(1) or any property traceable to such property, and is subject to forfeiture pursuant to
3 18 U.S.C. § 2253(a)(1) and 2253(a)(3): LG Cellular Phone, Model LG-L82VL, IMEI
4 355865071058744 (property).

5 This Court finds that the United States of America may amend this order at any time
6 to add subsequently located property or substitute property to the forfeiture order pursuant
7 to Fed. R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

8 This Court finds the United States of America is now entitled to, and should, reduce
9 the aforementioned property to the possession of the United States of America.

10 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
11 DECREED that the United States of America should seize the aforementioned property.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
13 rights, ownership rights, and all rights, titles, and interests of Ian Bautista in the
14 aforementioned property are forfeited and are vested in the United States of America and
15 shall be safely held by the United States of America until further order of the Court.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
17 of America shall publish for at least thirty (30) consecutive days on the official internet
18 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
19 describe the forfeited property, state the time under the applicable statute when a petition
20 contesting the forfeiture must be filed, and state the name and contact information for the
21 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
22 and 21 U.S.C. § 853(n)(2).

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
24 or entity who claims an interest in the aforementioned property must file a petition for a
25 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
26 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
27 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's

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1 right, title, or interest in the forfeited property and any additional facts supporting the
2 petitioner's petition and the relief sought.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
4 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
5 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
6 not sent, no later than sixty (60) days after the first day of the publication on the official
7 internet government forfeiture site, www.forfeiture.gov.


8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
9 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
10 Attorney's Office at the following address at the time of filing:

11 Daniel D. Hollingsworth
12 Assistant United States Attorney
13 James A. Blum
14 Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
16 described herein need not be published in the event a Declaration of Forfeiture is issued by
17 the appropriate agency following publication of notice of seizure and intent to
18 administratively forfeit the above-described property.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
20 copies of this Order to all counsel of record.

21 DATED Feb. 4, 2020.

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24 
25 HONORABLE JENNIE A. DORSEY
26 UNITED STATES DISTRICT JUDGE
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